KA / BG-GPO/2515/WPP-47/2006-2008



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೩	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಜುಲೈ ೧೭, ೨೦೦೮ (ಆಷಾಢ ೨೬, ಶಕ ವರ್ಷ ೧೯೩೦)	ಸಂಚಿಕೆ ೨೯

ಭಾಗ–೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇನಿಪ್ರ 2008, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ಮಾರ್ಚ್ 2008

2008ನೇ ಸಾಲಿನ ಫೆಬ್ರವರಿ 14 ಮತ್ತು ಫೆಬ್ರವರಿ 8ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ S.O. 319 (E) (Notification No.F.No.RW/NH-37011/63/2005-PIC ದಿನಾಂಕ:8.2.2008 ಮತ್ತು S.O. 331 (E) (Notification No.F.No.SR-20013/2/2003-AG) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF SHIPPING ,ROAD TRANSPORT AND HIGHWAYS

(Department of Road Transport and Highways)

NOTIFICATION

New Delhi, the 8th February, 2008

S.O. 319 (E)- Whereas, vide notification of the Government of India in the erstwhile Ministry of Surface Transport (Roads Wing), number S.O. 78 (E), dated the 4th February, 1999 issued under section 11 of the National Highways Authority of India Act, 1988 (68 of 1988) the Central Government entrusted the stretch from Km 0.00 to Km 592.00 (Bangalore to Karnataka/Maharashtra Border) of National Highway No. 4 in the State of Karnataka to the National Highways Authority of India;

Now, therefore, in exercise of the powers conferred by section 7 of the National Highways Act, 1956 (48 of 1956), read with rules 3,5 and 11 of the National Highways (Fees for the Use of National Highways Section and Permanent Bridge-Public Funded Project) Rules, 1997 and sub-rule (2) of rule 3 of the National Highways (Rate of Fee) Rules, 1997, and in supercession of the notification of the Government of India in the Ministry of Shipping Road Transport and Highways (Department of Road Transport and Highways) number S.O. 1638 (E), dated the 17th November,2005, except as respects

things done or omitted to be done before such supersession, the Central Government hereby notifies that there shall be levied and collected by the National Highways Authority of India departmentally or through a private contractor who may be appointed on the basis of competitive bidding, a fee on mechanical vehicles for the use of the four-laned stretch from Km,. 404.000 to km 340.000 (Gabbur-Devgiri Section) of National Highway No. 4 in the State of Karnataka at the rates, specified in the Schedule annexed hereto in perpetuity.

SCHEDULE

RATES OF FEE TO BE RECOVERED FROM THE USERS OF FOUR LANED STRETCH FROM KM 404.000 TO 340.000 (GABBUR-DEVGIRI SECTION) OF NATIONAL HIGHWAY NO. 4 IN THE STATE OF KARNATAKA.

Serial Number	Particulars of Vehicle	Fee rate for Vehicle for One way trip (for 64.000 Km. length (In Rupees)	Fee rate for multiple trips in a day (In Rupees)
1	2	3	4
1	Car or Jeep or Van	40	60
2	Light Commercial Vehicle/Mini Bus	70	105
3	Truck or Bus/Multi Axle Vehicle	140	210
4	Heavy construction machinery and earth moving equipment	300	450

Notes-For the purpose of this notification,

1. The fee shall be collected at a single location only within the stretch.

2. The rates of fee are subject to revision as per the provision of sub-rule (3) of rule 3 of the National Highways (Rate of Fee) Rules, 1997.

3. The collection of fee shall commence within thirty days from the date of publication of this notification in the Official Gazette or within thirty days from the date of opening of the said four-laned stretch to traffic, whichever is later.

4. When the same mechanical vehicle has to cross the said stretch of the National Highway more than once in a day the user shall have the option to pay the fee for the multiple trips at the rates as given in Schedule above while crossing the gate in trial trip itself on if the same mechanical vehicle has to use the said four laned stretch frequently for the entire month. the vehicle owner may obtain a monthly pass on the payment of charges equivalent to 30 single rates applicable to it, as specified in the aforesaid schedule.

Explanation : For the purpose of this notification, "day" shall be counted as a continuous period of twenty-four hours.

5. The following types of vehicles shall be exempted from the fee specified above in the Schedule, namely:

(i) vehicles-

(A) Officially belonging to

(a) the President of India;

(b) the Vice President of India;

(c) the Governor of a State or the Lt. Governor of a Union Territory;

(d) a Foreign Dignitary on State visit to India;

(e) a Foreign Diplomat stationed in India using cars with "CD"/"CC" number plate;

(f) the Chairman of the Rajya Sabha or the Speaker of the Lok Sabha or the Chairman of a State Legislative Council or the Speaker of a State Legislative Assembly or a Minister of the Union or State, or the Leader of Opposition in the Lok Sabha or the Rajya Sabha or a State Legislature having the status of a Cabinet Minister, if he is sitting in the vehicle; or

(g) a Member of Parliament, in the entire country, or a Member of the Legislative Assembly of a State or a Member of Legslaltive Council of a State, in the respective State, if he produces his identity card issued by the Parliament or the concerned Legislature of the State, as the case may be;

(B) belonging to the winner of a Gallantry award such as Param Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardee produces his photo identity card duty authenticated by the Competent Authority for such Award.

(ii) Defence vehicles, including those eligible for exemption in accordance with the provisions of the Indian Tolls (Army and Air Force) Act, 1901 (11 of 1901) and the rules made there under (as extended to Navy);

(iii) Police vehicles, Fire-fighting vehicles, Ambulances, Funeral vans, vehicles of the Department of Post and Telegraph and Central Government and State Government Vehicles on duty.

6. The rates of the fee, the categories of vehicles exempted from the payment of the fee and the name. address and telephone number of the authority to whom complaints, if any, should be addressed shall be conspicuously and prominently displayed 500 meters ahead of the toll booths, 100 meters ahead of the toll booths and at the toll booths as well. The height of the display boards and size of letters will be such that it is easy for the drivers to read the display boards and they shall be legibly written or printed in English, Hindi and the regional language of the area in which the stretch is situated.

7. No fee shall be levied and collected from a mechanical vehicle, which is not covered by the table given above.

[F.No. RW/NH-37011/63/2005-PIC]

PRABHAKAR, Dy.Secy.

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

(SHIPPING WING)

NOTIFICATION

New Delhi, the 14th February, 2008

S.O. 331(E)-In exercise of the powers conferred by Sub-section (2) of Section 1 of the Merchant Shipping (Amendment) Act, 2007 (40 of 2007), the Central Government hereby appoints the 1st day of March, 2008 as the date on which the said Act shall come into force.

[F.No. SR-20013/2/2003-AG]

RAJEEVGUPTA, Jt. Secy.

ಭಾರತದ ರಾಷ್ಟ್ರಪತಿಯವರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 30

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 16 ಕೇನಿಪ್ರ 2008, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 24ನೇ ಏಪ್ರಿಲ್ 2008

2008ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 5ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ S.O. 434(E) (Notification No. F.NO.NHAI/BOT/11019/102/2007 ದಿನಾಂಕ:5.3.2008) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF SHIPPING ROAD TRANSPORT AND HIGHWAYS

(Department of Road Transport and Highways)

NOTIFICATION

New Delhi, the 5th March, 2008

S.O. 434(E)- In exercise of the powers conferred by clause (a) of Section 3 of the National Highways Act, 1956 (48 of 1956) the Central Government hereby authorises the Assistant Commissioner, Mangalore Sub-division, Mangalore as the competent authority to perform the functions of such authority under the said Act with effect from the date of publication of this notification in the Official Gazette in respect of the stretch of land from Km. 375/300 to Km. 376/600 (Panaji-Mangalore Section) and Km. 3/600 to Km. 17/200 (Mangalore-Cochin Section) of the National Highway No. 17 for building (widening/four laning etc) maintenance, management and operation of the said national highway in the state of Karnataka, as specified in the schedule given below:

SCHEDULE

Acquisition of land in respect of National Highway No. 17 in the State of Karnataka on the stretch from Km. 375/300 to Km. 376/600 (Panaji-Mangalore Section) and Km. 3/600 to Km. 17/200 (Mangalore-Cochin Section).

Sl No.	District	Taluk	Police Station	Name of Village
1	Dakshin Kannad Mangalore	-	Rural Police Station	1) Maroli
			Kankanady,	2) Kadri
			Mangalore	3) Kankanady
				4) Jappinamogaru
			Ullala	5) Permannur
				6) Ullala
				7) Someshwara
				8) Kotekkar
				9) Talapady

[F.NO. NHAI/BOT/11019/102/2007]

PRABHAKAR. Dy. Secy.

ಭಾರತದ ರಾಷ್ಟ್ರಪತಿಯವರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 33

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 15 ಕೇನಿಪ್ರ 2008, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 31ನೇ ಮಾರ್ಚ್ 2008

2008ನೇ ಸಾಲಿನ ಫೆಬ್ರವರಿ 19ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ S.O. 382(E) (Notification No. F.NO.H/11019(10)/2007-Leg-II) ದಿನಾಂಕ:19.2.2008 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 19th February, 2008

S.O. 382(E): The following Order made by the President is published for general information:

ORDER

Whereas under the provisions of article 82 and article 170 (3) of the Constitution, as amended by the Constitution (Eighty-fourth Amendment) Act, 2001, Parliament enacted the Delimitation Act, 2002(33 of 2002) and a Delimitation Commission has been set up to readjust the division of each state and Union Territory into territorial constituencies for the purpose of elections to the House of the People and to the State Legislative Assemblies on the basis of census figures as ascertained at the census taken in the year 2001 [as envisaged under the Constitution(Eighty-seventh) Amendment Act, 2003];

And whereas, the final orders relating to the Delimitation of Parliamentary and Assembly Constituencies in respect of 25 states and the Union Territories have been made by the Delimitation Commission under Sections 8 and 9 of the Delimitation Act, 2002 (33 of 2002) and were published in the Official Gazettes:

And whereas on being satisfied that a situation has arisen where unity and integrity of India is likely to be threatened and there is a serious threat to peace and public order the delimitation exercise in the States of Assam, Arunachal Pradesh, Nagaland and Manipur have been deferred under sub-section (1) of Section 10A of the Delimitation Act, 2002 (33 of 2002) vide Orders published in the Gazette of India having numbers S.O. 283 (E) S.O. 284 S.O. 285(E) and S.O. 286 (E), dated 8th February, 2008 respectively;

And whereas under Section 10B of the Delimitation Act, 2002 the final orders made by the Delimitation Commission in respect of the State of Jharkhand have been nullified until the year 2026 in relation to every election to the House of the People or to the Legislative Assembly to be held in that State;

And whereas the terms of the Legislative Assemblies of the States of Meghalaya and Tripura are due to expired on 10th March, 2008 and 19th March, 2008 respectively, and it is necessary to hold general elections to constitute the new Legislative Assemblies in these States at any time within the said due dates as per the Delimitation of Parliamentary and Assembly Constituencies Order, 1976;

And whereas the election schedule for general elections to the Legislative Assemblies of Meghalaya and Tripura has been notified by the Election Commission under the Representation of the People Act 1951 as per the Delimitation of Parliamentary and Assembly constituencies order 1976 for Constituting the new Assemblies in the aforesaid States within the stipulated time;

Now therefore, in exercise of the powers conferred by the second proviso to article 82 and the second proviso to clause (3) of article 170 of the Constitution, I, Pratibha Devisingh Patil President of India, hereby specify-

(i) the date of this Order as the date on which readjustments notified by the Delimitation Commission in terms of Sections 8 and 9 of the Delimitation Act, 2002 in respect of the 22 states Union

Terrtories, given in the Delimitation Orders notified by the Delimitation Commission vide respective O.N. Numbers specified against the name of the state/Union Territory in PART-A of the TABLE below shall take effect; and

(ii) the 20th day of March, 2008 as the date on which readjustments notified by the Delimitation Commission in terms of Sections 8 and 9 of the said Act in respect of the remaining 2 States of Tripura and Meghalaya, given in the Delimitation Orders notified by the Delimitation Commission vide respective O.N. Numbers specified against the name of the states in PART-B of the TABLE below shall take effect.

TABLE

Details of the Delimitation Orders issued by the Delimitation Commission and published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (iii)

Sl. No	Name of the state	order No(issued under Section 8 of the Delimitation Act, 2002) and Date	Order No. (issued under Section 9 of the Delimitation Act, 2002) and Date	Corrigendum/Supplementary Orders, if any and their date
1	2	3	4	5
1	Goa	Order No. 2, O.N. 193 (E) dated 8-11-2004	Order No. 5, O.N. 9(E) dated 31-3-2005	-
2	Pondicherry	Order No. 1 O.N. 190 (E) dated 8-10-2004	Order No. 6, O.N. 6(E) dated 31-3-2005	-
3	Mizoram	Order No. 7, O.N. 13 (E) dated 13-4-2005	Order No. 10.O.N. 27 (E) dated 27-5-2005	Corrigendum dated 11-7-2005 O.N. 34 (E)
4	Kerala	Order No. 4, O.N. 6(E) dated 23-3-2005	Order No. 9.O.N. 29 (E) dated 31.5.2005	Order No. 55.O.N. 2 (E) dated 16-1-2008
5	Rajasthan	Order No. 12, O.N. 35(E) dated 8.8.2005	Order No. 16, O.N. 4(E) dated 25-1-2006	-
6	West Bengal	Order No. 11, O.N. 37(E) dated 8.8.2005	Order No. 18. O.N. 9(E) dated 15.2.2006	-
7	Chhattisgarh	Order No. 14, O.N. 61(E) dated 12.12.2005	Order No. 24, O.N. 52(E) dated 2-6-2006	Corrigendum dated:25.8.2006 O.N. 71 (E)
8	Punjab	Order No. 15, O.N. 63(E) dated 12.12.2005	Order No.22, O.N. 58(E) dated 19.6.2006	-

9	Maharashtra	Order No.21, O.N.24(E) dated 28-3-2006	Order No. 26, O.N. 64(E) dated 31.7.2006	-
10	Sikkim	Order No. 13, O.N. 42(E) dated 29.8.2005	Order No. 28. O.N. 80(E) dated 4-9-2006	-
11	Delhi	Order No. 17, O.N. 5(E) dated 27.1.2006	Order No. 30. O.N. 85(E) dated 20.9.2006	-
12	Gujarat	Order No.23, O.N. 38(E) dated 19.5.2006	Order No. 33, O.N. 121(E) dated12.12.2006	-
13	Orissa	Order No. 19, O.N. 19(E) dated 17.3.2006	Order No.32 O.N. 122(E) dated 15.12.2006	-
14	Uttar Pradesh	Order No. 27, O.N. 62(E) dated 28.7.2006	Order No. 34, O.N. 123(E) dated18.12.2006	Order No. 41, O.N. 50(E) dated 30.3.2007
15	Uttaranchal	Order No. 29, O.N. 78(E) dated 4-9-2006	Order No. 35, O.N. 124(E) dated 28.12.2006	-
16	Himachal Pradesh	Order No. 20. O.N. 22(E) dated 27.3.2006	Order No. 36, O.N. 2(E) dated 10-1-2007	-
17	Haryana	Order No. 31,O.N. 105(E) dated 30.10.2006	Order No. 39, O.N. 18(E) dated 15.2.2007	-
18	Andhra Pradesh	Order No. 37, O.N. 7(E) dated 22.1.2007	Order No. 46, O.N. 78(E) dated 31.5.2007	-
19	Madhya Pradesh	Order No. 38, O.N. 4(E) dated 19.1.2007	Order No. 45, O.N. 70(E) dated 14.5.2007	-
20	Karnataka	Order No. 42, O.N. 46(E) dated 23-3-2007	Order No. 49, O.N. 90(E) dated 2.7.2007	-
21	Tamil Nadu	Order No. 43, O.N. 52(E) dated 5.4.2007	Order No. 52, O.N. 108(E) dated 13-8-2007	-
22	Bihar	Order No. 48, O.N. 79(E) dated 11.6.2007	Order No. 54, O.N. 111(E) dated 17.8.2007	-

PART-B				
23	Tripura	Order No. 3, O.N. 3(E) dated 28-2-2005	Order No. 8, O.N. 18(E) dated 12.5.2005	-
24	Meghalaya	Order No. 40, O.N. 28(E) dated 12-3-2007	Order No. 50, O.N. 91(E) dated 2.7.2007	Corrigendum dated 2.7.2007, O.N 89(E) Corrigendum dated 30.7.2007, O.N. 104 (E)

PRESIDENT OF INDIA

[F.NO. H-11019(10)/2007-Leg. II]

K.D. SINGH, Secy

ಭಾರತದ ರಾಷ್ಟ್ರಪತಿಯವರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 32

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 4 ಕೇಶಾಪ್ರ 2008, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 7ನೇ ಫೆಬ್ರವರಿ 2008

2007ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Indian Boilers (Amendment) Act, 2007 (Act No. 49 of 2007) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 13th December, 2007/Agrahayana 22, 1929 (Saka)

The following Act of Parliament received the assent of the President on the 12th December, 2007, and is hereby published for general information:

THE INDIAN BOILERS (AMENDMENT) ACT,2007

No. 49 OF 2007

[12th December, 2007]

An Act further to amend the Indian Boilers Act, 1923. follows

BE it enacted by Parliament in the Fifty-eighth Year of the Republic of India as

1. Short title and commencement : (1)This Act may be called the Indian Boilers (Amendment) Act, 2007,

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2. Amendment of section 1 : In section 1 of the Indian Boilers Act, 1923 (hereinafter referred to as the principal Act)), in sub-section (1), the word "Indian" shall be omitted.

3. Amendment of section 2 : In section 2 of the principal Act

(1) for clause (a), the following clause shall be substituted, namely:

`(a) "accident" means an explosion of boiler, or boiler component, which is calculated to weaken the strength or an uncontrolled release of water or steam there from liable, to cause death or injury to any person or damage to any property;"

(2) for clause (b), the following clauses shall be substituted, namely

(b) "boiler" means a pressure vessel in which steam is generated for use external to itself by application of heat which is wholly or partly under pressure when steam is shut off but does not include a pressure vessel-,

(i) with capacity less than 25 litres (such capacity being measured from the feed check valve to the main steam stop valve);

(ii) with less than one kilogram per centimetre square design gauge pressure and working gauge pressure; or

(iii) in which water is heated below one hundred degrees centigrade;

(ba)"boiler component" means steam piping, feed piping, economiser, superheater, any mounting or other fitting and any other external or internal part of a boiler which is subject to pressure exceeding one kilogram per centimetre square gauge;"

(3) after clause (c), the following clauses shall be inserted, namely:

(ca)"Competent Authority" means an institution recognised in such manner as may be prescribed by regulations for issue of certificate to the welders for welding of boiler and boiler components;

(cb) "Competent Person" means a person recognised in such manner as may be prescribed by regulations for inspection and certification of boilers and boiler components during manufacture, erection and use, All Inspectors shall be ipso facto competent persons";

(4) after clause (ccc), the following clauses shall be inserted, namely:

(ccd) "Inspecting Authority" means an institution recognised in such manner as may be prescribed by regulations for the inspection and certification of boilers and boiler components during manufacture. All Chief Inspectors of Boilers shall be ipso facto Inspecting Authorities;

(cce) "manufacture" means manufacture, construction and fabrication of boiler or boiler component, or both;

(ccf) "manufacturer" means a person engaged in the manufacture;"

(5) in clause (d) for the words" includes any person", the words "includes any person possessing or" shall be substituted;

(6) for clause (f), the following clause shall be substituted, namely:

(f) "steam pipe" means any pipe through which steam passes if-

(i) the pressure at which steam passes through such pipe exceeds 3.5 kilogram per square centimetres above atmospheric pressure, or

(ii) such pipe exceeds 254 milimeters in internal diameter and the pressure of steam exceeds 1 kilogram per square centimetres above the atmospheric pressure,

and includes in either case any connected fitting of a steam-pipe;"

(7) for clause (g), the following clauses shall be substituted, namely,

'(g) "structural alteration, addition or renewal" means,-

(i) any change in the design of a boiler or boiler component;

(ii) replacement of any part of boiler or boiler component by a part which does not conform to the same specification; or

(iii) any addition to any part of a boiler or boiler component;

(h) "superheater" means any equipment which is partly or wholly exposed to flue gases for the purpose of raising the temperature of steam beyond the saturation temperature at that pressure and includes a re-heater;

(i) "Technical Adviser" means the Technical Adviser appointed under sub-section (1) of section 4A;

4. Substitution of new section for section 3 Limitation of application : For section 3 of the principal Act, the following section shall be substituted, namely:

3. Nothing in this Act shall apply to-

a) locomotive boilers belonging to or under the control of the railways;

b) any boiler or boiler component,-

i) in any vessel propelled wholly or in part by the agency of steam;

ii) belonging to or under the control of the Army, Navy or Air Force; or

iii) appertaining to a sterilizer disinfector used in hospitals or nursing homes, if the boiler does not exceed one hundred litres in capacity;

5. Insertion of new sections 4A to 4F Technical Adviser : After section 4 of the principal Act, the following sections shall be inserted namely:

"4A (1) The Central Government shall appoint a Technical Adviser from amongst the persons having such qualifications and experience as may be prescribed by rules.

(2) The terms and conditions of service of the Technical Adviser shall be such as may be prescribed by the Central Government.

(3) The Technical Adviser shall in addition to exercising the powers and discharging the functions assigned to him under this Act or rules or regulations made thereunder, exercise such other powers and discharge such functions as the Central Government and the Board may delegate to him.

4B Welders certificate : ' (1) Any person who proposes to undertake any welding work connected with or related to a boiler, or a boiler component or both shall apply to a Competent Authority for issue of a Welders certificate.

(2) On receipt of an application under sub-section (1) the Competent Authority shall follow such procedure for examination and grant of Welders certificate as may be prescribed by regulations.

(3) The Competent Authority may; if satisfied that the person applying for Welders certificate under sub-section (2) has complied with the conditions precedent for issue of the Welders certificate, issue such certificate, to such person subject to the payment of such fee and such other conditions as may be prescribed by regulations;

Provided that the Competent Authority shall not refuse Welders certificate to any person unless such person is given an opportunity of being heard.

4C Conditions precedent for manufacture of boiler and boiler component :. (1) No person shall manufacture or cause to be manufactured any boiler or boiler component, or both unless-

(a) he has provided in the premises or precincts where in such boiler or boiler component, or both, are manufactured, such facilities for design and construction as may be prescribed by regulations;

(b) the design and drawings of the boiler and boiler component have been approved by the Inspecting Authority under clause (a) of sub-section (2) of section 4D:

(c) the materials, mounting and fittings used in the construction of such boiler or boiler component, or both conform to the specifications prescribed by regulations; and

(d) the persons engaged for welding boiler or boiler component hold Welders certificate issued by a Competent Authority.

4D Inspection during manufacture : (1) Every manufacturer, before commencing manufacture of a boiler or boiler component, shall engage an Inspecting Authority for carrying out inspection at such stages of manufacture as may be prescribed by regulations.

(2) The Inspecting Authority engaged under sub-section (1) shall follow such procedure for inspection and certification of boiler or boiler component as may be prescribed by regulations and after inspection if it is-

(a) satisfied that the boiler or the boiler component conforms to the standards prescribed by regulations, it shall issue a certificate of inspection and stamp the boiler or boiler component, or both; or

(b) of the opinion that the boiler or boiler component or both does not conform to the standards prescribed by regulations, it may for reasons to be recorded in writing refuse to issue such certificate:

Provided that no certificate shall be refused unless the Inspecting Authority had directed the manufacturer of the boiler or boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that inspite of such direction the manufacture of the boiler or boiler component or both did not carry out the direction.

(3) The Inspecting Authority may for the purposes of inspection under this section charge such fee as may be prescribed by regulations.

4E Inspection during erection : (1) The owner who proposes to register a boiler under section 7, shall engage on Inspecting Authority for carrying out inspection at the stage of erection of the boiler.

(2) The Inspecting Authority shall follow such procedure for inspection and certification of a boiler or boiler component, or both as may be prescribed by regulations and after inspection if it is-

(a) satisfied that the erection of the boiler is in accordance with the regulations it shall issue a certificate of inspection in such from as may be prescribed by regulation; or

(b) of the opinion that the boiler has not been erected in accordance with the regulations it may for reasons, to be recorded in writing refuse to grant the certificate and shall communicate such refusal to the manufacturer of the boiler or boiler component forthwith;

Provided that no such certificate shall be refused unless the Inspacting Authority had directed the owner in writing to carry out such modifications or rectifications as it deems necessary and the Inspecting Authority is of the opinion that in spite of such direction the owner did not carry out the direction.

(3) The Inspecting Authority may, for the purposes of inspection under this section charge such fee as may be prescribed by regulations.

4F. Conditions precedent for repairing boiler and boiler component : No person shall repair or cause to be repaired any boiler or boiler component or both, unless-

(a) he has provided in the premises or precincts, where in such boiler or boiler component or both are being used such facilities for repairs as may be prescribed by regulations;

(b) the design and drawings of the boiler or boiler component as the case may be and the materials, mountings and fittings used in the repair of such boiler or boiler component conform to the regulations;

(c) persons engaged in welding holds a Welders certificate issued by a Competent Authority;

(d) every user who does not have the in-house facilities for repair of boiler or boiler component shall engage a Boiler Repairer possessing a Boiler Repairer certificate for repair of a boiler or boiler component or both, as the case may be;

(e) every user shall engage a Competent Person for approval of repairs to be carried out in-house or by the repairers".

6. Amendment of section 5 : In section 5 of the principal Act, after sub-section (4) the following sub-section shall be inserted namely:

"(4A) No person shall be appointed as the Chief Inspector Deputy Chief Inspector or Inspector unless he possesses such qualifications and experience as may be prescribed by the Central Government".

7. Amendment of section 6 : In section 6 of the principal Act, in clause (e), for the words "State Government" the words "Central Government" shall be substituted.

8. Amendment of section 7 : In section 7 of the principal Act-

(A) in sub-section (1), for the words ",may apply to the Inspector to have the boiler registered", the words "may apply to the Inspector along with such other documents as may be prescribed by regulations to have the boiler registered" shall be substituted;

(b) for sub-section (3), the following sub-section shall be substituted, namely:

"(3) On the said date the Inspector shall inspect the boiler with a view to satisfying himself that the boiler has not suffered any damage during its transit from the place or manufacture to the site of erection and forward a report of the inspection along with the documents to the Chief Inspector within seven days".

9. Amendment of section 8 : In section 8 of the principal Act,

(a) in sub-section (1)-

(ii) in clause (c) for the figures "18.58" the figures "20" shall be substituted;

(ii) for clause (d), the following clause shall be substituted, namely:

"(d) save as provided in section 12, when any structural alteration, addition or renewal is made in or to the boiler".

(iii) in clause (f) for the words "it or any steam pipe", the words "it or any boiler component", shall be substituted;

(b) for sub-section (3) the following sub-section shall be substituted, namely:

"(3) When a certificate ceases to be in force, the owner of the boiler may apply to the Competent Person for renewal thereof for such period as may be prescribed by regulations".

(c) for sub-sections (4) and (5) the following sub-sections shall be substituted, namely:

"(4) On receipt of an application under sub-section (3) the Competent Person shall within fifteen days from the date of such receipt inspect the boiler in such manner as may be prescribed by regulations.

(5) If the Competent Person is-

(a) satisfied that the boiler and the boiler components attached thereto are in good condition he shall issue a certificate for such period as may be prescribed by regulations.

(b) of the opinion that the boiler or boiler component, or both does not conform to the standards prescribed by regulations, it may, for reasons to be recorded in writing refuse to issue such certificate;

Provided that no certificate shall be refused unless the Inspecting Authority had directed the owner of the boiler or the boiler component, or both in writing to carry out such modifications or rectifications as it deems necessary and the Competent Person is of the opinion that inspite of such direction the owner of the boiler or boiler component, or both did not carry out the direction;

Provided further that the Competent Person shall within forty-eight hours of making the examination, inform the owner of the boiler or boiler component any defect in his opinion and the reasons therefor and shall forthwith report the case to the Chief Inspector.

(6) The Competent Person may for the purpose of inspection under this section charge such fee as may be prescribed by regulations";

10 Amendment of section 9 : In section 9 of the principal Act, the words brackets and figures"or sub-section (5) of section 8" shall be omitted.

11. Amendment of section 11 : In section 11 of the principal Act-

(a) in clause (c), for the words "State Government" the words "Central Government" shall be substituted;

(b) clause (d) and the proviso shall be omitted.

12. Amendment of section : In section 12 of the principal Act the following proviso shall be inserted at the end, namely;

Provided that no such sanction is required where the structural alteration addition or renewal is made under the supervision of a Competent Person".

13. Substitution of new section for section 13 Alteration or renewal of boiler component: "13 (1) Before the owner of any boiler registered under this Act makes any structural alteration addition or renewal in or to any boiler component attached to the boiler he shall transmit to the Chief Inspector a report in writing of his intention and send therewith such, particulars of proposed alteration, addition or renewal as may be prescribed by regulations.

(2) Any structural alteration, addition or renewal referred to in sub-section (1) shall be made by a person possessing a Boiler Repairer certificate under the supervision of the Competent person".

14. Amendment of section 14 : In section 14 of the principal Act,-

(a) in sub-section (1)-

(i) in clause (a) for the word "Inspector" the words "Competent Person" shall be substituted;

(ii) in clause (b) for the words "prescribed manner" the words" manner prescribed by regulations" shall be substituted;

(iii) in clause (c) for the words "be prescribed", the words "be prescribed by regulations" shall be substituted;

(b) in sub-section (2), for the word "Inspector", the words "Competent Person" shall be substituted.

15. Amendment of Section 15.- In section 15 of the principal Act, for the words and figures "the Indian Factories Act, 1911", (12 of 1911) the words and figures "the Factories Act, 1948" (63 of 1948) shall be substituted.

16. Amendment of section 18.- In section 18 of the principal Act,-

(a) in sub-section (1), for the word "steam-pipe", at both the places where it occurs, the words "boiler component" shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:-

"(3) Without prejudice to the provisions of sub-section (1), where any death has resulted due to any accident, an inquiry may be conducted by such person and in such manner as may be prescribed by the Central Government.".

17. Amendment of section 19.- Section 19 of the principal Act shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:-

"(2) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the State Government.

(3) The procedure for disposing of an appeal shall be such as may be prescribed by the State Government".

18. Amendment of section 20.- Section 20 of the principal Act shall be renumbered as sub-section (1) and-

(a) in sub-section (1) as so renumbered, for the words "lodge with the Chief Inspector an appeal to an Appellate Authority to be constituted by the State Government under this Act", the words "prefer an appeal to the Central Government" shall be substituted;

(b) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:-

"(2) Any person considering himself aggrieved by the refusal of an Inspecting Authority to grant a certificate of inspection of manufacture or erection, as the case may be, may, within thirty days from the date of communication of such refusal, prefer an appeal to the Central Government.

(3) Every appeal under sub-section (1) shall be made in such manner as may be prescribed by the Central Government.

(4) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government.".

19. Amendment of section 21.- In section 21 of the principal Act, for the words, figures and letters "An order of the Central Government under section 20A and save as otherwise provided in sections 19, 20 and 20A, an order of an appellate authority, the words, figures and letter "An order of the Central Government under sections 20 and 20A," shall be substituted.

20. Amendment of section 22.- In section 22 of the principal Act, for the words "one hundred rupees", the words "five thousand rupees" shall be substituted.

21. Amendment of section 23.- In section 23 of the principal Act,-

(a) for the words "five hundred rupees", the words "one lakh rupees" shall be substituted;

(b) for the words "one hundred rupees", the words "one thousand rupees" shall be substituted.

22. Amendment of section 24.- In section 24 of the principal Act, for the words "punishable with fine which may extend to five hundred rupees", the words "punishable with imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both" shall be substituted.

23. Amendment of section 25.- In section 25 of the principal Act,-

(a) in sub-section (1), for the words "five hundred rupees", the words "one lakh rupees" shall be substituted;

(b) in sub-section (2), for the words "fine, or with both", the words "fine which my extend to one lakh rupees or with both" shall be substituted.

24. Amendment of section 27A.- In section 27A of the principal Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:-

"(2) The Board shall consist of the following members, namely:-

(a) the Secretary to the Government of India incharge of the Department of the Central Government having administrative control of the Board who shall be the Chairperson ex officio;

(b) a senior technical officer conversant with the inspection and examination of boilers, to be nominated by the Government of each State (other than a Union territory);

(c) equal number of other persons as in sub-section (b) above to represent-

(i) Central Government,

(ii) the Bureau of Indian Standards,

(iii) boiler and boiler component manufacturers,

(iv) National laboratories.

(v) engineering consultancy agencies,

(vi) users of boilers, and

(vii) such other interests which in the opinion of the Central Government ought to be represented on the Board, to be nominated by the Central Government;

(d) Technical Adviser, Member-Secretary ex officio.

(3) The term of office of the members nominated under clause (b) and (c) of sub-section (2) shall be such as my be prescribed by the Central Government.".

25. Amendment of section 28.- In section 28 of the principal Act, in sub-section (1),-

(i) for clause (a), the following clause shall be substituted, namely:-

"(a) for laying down the standard conditions in respect of material, design, construction, erection, operation and maintenance which shall be required for the purposes of enabling the registration and certification of boilers, boiler components, boiler mountings and fittings under this Act;";

(ii) in clause (d), for the word "steam-pipes", the words "boiler components, boiler mountings and fittings" shall be substituted;

(iii) after clause (e), the following clauses shall be inserted, namely:-

"(ea) for prescribing the qualifications and experience subject to which the Inspecting Authorities, Competent Authorities and Competent Persons shall be recognised under this Act;

(eb) the conditions subject to which and the manner in which manufacturer of boiler components or material may be recognised.

(ec) facilities for design and construction which are required to be provided in the premises in which the manufacturing of any boiler or boiler component is carried out;

(ed) fee for the purposes of inspection or grant of recognition or any certificate under this Act;

(ef) procedure for examination and grant of Welders certificate;

(eg) powers and functions which the Board may delegate to the Technical Adviser;

(eh) documents to be enclosed along with the application for registration of boilers or renewal of a certificate authorising the use of boilers;

(ei) the manner of inspection of boilers;

(ej) the period for which a certificate authorising the use of a boiler may be renewed;

(ek) the conditions subject to which and the form in which Competent Person shall renew a certificate authorising the use of boilers;

(el) the manner and the form in which a Repairer's certificate shall be issued;

(em) the manner in which the boiler shall be prepared for examination;

(en) drawings, specification, documents and other particulars which owner of a boiler is required to make available to the Competent Person;

(eo) the manner in which a person may be authorised to conduct energy audit and the manner in which such audit shall be conducted;

(ep) the manner in which disputes between the States with respect to registration of boilers shall be resolved.".

26. Amendment of section 28A.- In section 28A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(1A) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the procedure to be followed in making applications under section 20A and the fees payable in respect of such application;

(b) the qualifications and experience of persons to be appointed as Chief Inspectors, Deputy Chief Inspectors and Inspectors;

(c) the manner in which appeals may be preferred to the Board, the fees payable in respect of appeals and the procedure to be followed of disposing such appeals;

(d) the term of office of the members and the manner in which they shall be nominated under clauses (b) and (c) of sub-section (2) of section 27A;

(e) the qualifications and experience of the Technical Adviser;

(f) for requiring boilers to be under the charge of persons holding certificate of proficiency or competency and for prescribing the conditions on which such certificate may be granted;

(g) the manner in which and the person who shall conduct inquiry into the accident.".

27. Amendment of section 29.- In section 29 of the principal Act, in sub-section (1),-

(i) for clause (a), the following clause shall be substituted, namely:-

"(a) the powers and duties of the Chief Inspector, Deputy Chief Inspectors and Inspectors;";

(ii) clause (d) shall be omitted;

(iii) for clause (f), the following clause shall be substituted, namely:-

"(f) fee payable for registration of boilers;";

(iv) for clause (h), the following clause shall be substituted, namely:-

"(h) the manner in which appeals shall be preferred to the Chief Inspector and the procedure to be followed for hearing such appeals;";

(v) clause (j) shall be omitted.

28. Amendment of section 30.- In section 30 of the principal Act,.-

(a) for the words "one hundred rupees", the words "one thousand rupees" shall be substituted;

(b) for the words "one thousand rupees", the words "one lakh rupees" shall be substituted;

29. Amendment of section 33.- In section 33 of the principal Act, for the word "steam-pipes", the words "boiler components" shall be substituted.

30. Amendment of section 34.- In section 34 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:-

(3) If the State Government is satisfied that having regard to the material, design or construction of boilers and to the need for the rapid industrialisation of the country, it is necessary so to do, it may, by notification in the Official Gazette and subject to such conditions as may be prescribed by regulations, exempt any boiler or boiler components in the whole or any part of the State from the operation of all or any of the provisions of this Act.".

K.N. CHATURVEDI
Secy. to the Govt. of India

ಭಾರತದ ರಾಷ್ಟ್ರಪತಿಯವರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

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ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.